

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF EMMANUEL GOMEZ VEGA

I, Emmanuel Gomez Vega, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge.
2. I was a citizen of the United States on September 11, 2001, and remain so today. I was born in San Juan, Puerto Rico and came to the U.S. when I was one year old. A true and correct copy of my Certification of Birth is attached as Exhibit A to this Declaration. Attached as Exhibit B are true and correct copies of my Social Security card and New Jersey driver's license.
3. On September 11, 2001, I was at the World Trade Center site when the terrorist attacks occurred. I worked as a headhunter (recruiting specialist) at a firm called Snelling at 150 Broadway, two blocks east of the towers. I took the subway to work that morning. There was a bottleneck at the Fulton Street station exit, since everyone was looking up. Tower 1 had been struck already. It seemed almost like a movie. While I was standing there, soon after, Tower 2

was hit in a huge ball of fire. I ran to my office building two blocks away and went upstairs.

The secretaries were crying and I was asked to comfort them. Building management told us to stay away from the windows and go into the hallway, but eventually the fire department told us to evacuate, so we went downstairs.

4. Outside it was complete chaos, with people running in every direction and looking up at the buildings. I turned left, south, away from the towers and walked quickly. Then I heard a deafening sound, like the sound of shattered glass, really bad, and started running. Tower 2 was coming down. The ground shook like an earthquake and I was shoved around by the ground as I ran. I was terrified beyond imagination because I thought the tower was falling over on top of me. I squeezed into the vestibule of an office building, whose doors had been locked, to avoid being crushed by debris from above, but other people squeezed in and crushed me against the glass. While standing there the soot cloud overtook us, casting us into total darkness. The soot went into my nose, mouth, and eyes. It was suffocating, like burning sand. I pounded on the glass doors and prayed for the maintenance men to let us in. They eventually did, but my arm and leg were badly scraped and bruised by the crush of people trying to get inside.

5. The soot came into the building with us, filling up the lobby, but I felt my way along the wall and a maintenance man led half a dozen of us to the sub-basement. I helped a heavyset woman who had hurt her ankle. The sub-basement started filling up with smoke and I was terrified that we would never be found down there. Everyone held hands and prayed to God. After about 20 minutes we were told to go upstairs and outside—we were on our own. Outside it felt like I was stepping in snow because the soot and debris was so thick. My heart was racing incredibly fast from my indescribable fear. I felt like I was going to have a heart attack.

6. I walked fast toward Brooklyn Bridge, away from Broadway, but the soot was so thick it was hard to see. At one point I slipped in the soot and swallowed some of it. I got up and kept going, but it was so dark that I ran straight into an NYPD officer who was also covered in soot. He had a mask on and was heading toward the site. He mumbled to me to go around him. After a few more steps Tower 1 came down, with the same deafening roar and shaking ground as when Tower 2 fell. I started running. Windows were exploding around me and again I was blanketed in darkness. I was choking and gagging from the burning-hot soot as I ran toward Chase Manhattan Plaza.

7. The guards in the office buildings had locked the doors and would not let me or others inside. I couldn't take it any more and got down on all fours, but just then I was rescued by guys in a red pickup truck. They drove by and asked if I was ok, but I could hardly talk. They picked me up, threw me in the truck, and took me to Saint Vincent's Hospital at 13th Street and 7th Avenue, well away from Ground Zero. Six doctors came up to me, grabbed me, and I was triaged in the street. I was dressed in a suit but covered in soot, and they were amazed by my appearance. I threw up a lot because of the soot I had inhaled, and I cried a lot from the trauma. I was lucky to be alive.

8. As a result of the towers falling, I suffered severe burns to my trachea from the hot soot, as well as contusions to my arm and leg from being crushed when I entered the office building. I was in the hospital for two days. After being released I saw specialists for my injuries and to receive voice therapy. I was hoarse. To this day, I speak louder and in a higher pitch than before 9/11.

9. 9/11 was the worst day of my life. I cannot believe my odds of getting out alive after being so close to the collapsing towers, when people across from the street from me had

died. I continue to suffer severe emotional distress as a result of my experiences, being so near to the towers when they fell and nearly being killed. I went to therapy after the attacks and saw three psychiatrists. They said I was the most resilient survivor they had met and said I should keep doing whatever I was doing to cope. They described me as the “walking wounded.” I told the therapists about being physical abused as a child, too, and they said my experience on 9/11 just compounded that trauma. It brought back the darkness. When I was young my step-brother suffocated me, tied me up, stuffed me in a suitcase, and painted my face with lipstick. My father was alcoholic and hit me with belts and hangers. I would hide in the back of a closet, under clothes, to avoid them. I start crying when I think about my experiences.

10. I served in the U.S. Air Force and received an honorable discharge. The military is what made me the resilient person I am today. I believe what I learned in the military saved me on September 11, 2011. That is, when you find yourself in harm’s way, always have a plan B. On 9/11, I fought my way free, crawling on hands and knees and running from harm’s way. In the military we call that being under the wire.

11. I have been very involved in 9/11 commemorations in the years since. I have attended every ceremony, in all weather. I went into the pit of the towers and stood at attention in the rain. I shook the hands of presidents, mayors, and other dignitaries. I have visited the Family Viewing Room in front of 1 Liberty many times.

12. I previously pursued a claim through the September 11th Victim Compensation Fund related to my physical injuries incurred on 9/11. My claim number was 212-000038. I represented myself and it took years of work on the application, including writing a letter to Kenneth Feinberg telling my story, before I was compensated. I collected all the documentation of my experience on 9/11—hospital records, letters from doctors and psychiatrists, employment

records, etc.—and submitted them to the VCF. Motley Rice requested a copy of my VCF1 file from the Department of Justice, and it was received by Motley Rice in March 2021.

13. Exhibit C is the Claim Detail form for my VCF1 claim, showing that my claim was received in December 2001 (just three months after 9/11), my eligibility was approved in September 2002, the final award determination was in March 2003, and payment was authorized in April 2003. My claim was determined to be eligible for compensation.

14. The VCF1 file documents my employment, injuries, and medical care related to the terrorist attacks. Exhibit D is the Eligibility Summary Report for my claim, describing my eligibility for an award. The form describes my injury: “The victim suffered a ‘severe tracheal injury as a result of toxic fume/dust exposure.’ The doctor’s exam showed the victim’s ‘oropharynx revealed obvious burn injury with edematous and distorted tissue. A spirometric flow volume loop demonstrated fixed airway obstruction.’ Additional medication documentation was included regarding the victim’s injuries.”

15. Exhibit E is the Injury Eligibility Form for my claim. It describes my injuries as “burn injury trachea wrist injury right leg contusions.”

16. Exhibit F is my Eligibility Form and the supporting documentation I submitted as proof of my injuries, including medical records from Saint Vincent’s and the doctors that treated me for smoke/dust inhalation, leg abrasion, anxiety, inability to sleep, and PTSD. It also includes my letter to the Special Master, Kenneth Feinberg, recounting my story of what happened to me that day (pp. 35-37).

17. Exhibit G is my Personal Injury Compensation Form and supporting documentation. The documents include a letter from a psychiatrist, recounting my story of what happened to me, diagnosing me with PTSD, and recommending psychiatric treatment and

psychotropic medication (pp. 5-8). The files include letters from my pulmonologist from mid-2002 stating that I was still disabled, with chronic cough, mucous, shortness of breath, hyperventilation, and severe anxiety (pp. 26, 29, 31). Exhibit G also includes a second letter I wrote to the Special Master, Kenneth Feinberg, recounting my story (p. 33). I concluded by stating that "I am the walking wounded till this day, forget how much money, just give me a hug and tell me I am going to be ok...."

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 19 day of March 2021.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Signature of Emmanuel Gomez Vega, Declarant

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**